



Order Filed on June 18, 2019 by
Clerk U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
Denise Carlon, Esquire
KML Law Group, P.C.
216 Haddon Avenue, Suite 406
Westmont, NJ 08108
Main Phone: 609-250-0700
dcarlon@kmllawgroup.com
Attorneys for Secured Creditor
MTGLQ Investors, L.P.

Case No.: 18-35098 JKS

In Re:
Nicholas A. Mitchell,
Debtor.

Adv. No.:

Hearing Date: 6/13/19 @ 10:00 a.m.

Judge: John K. Sherwood

ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: June 18, 2019

JK Sherwood
Honorable John K. Sherwood
United States Bankruptcy Court

(Page 2)

Debtor: Nicholas A. Mitchell

Case No: 18-35098 JKS

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, MTGLQ Investors, L.P., Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 268 Kipp Street 2F, Hackensack, NJ, 07601, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Vincent Commissa, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of May 22, 2019 Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due January 2019 through May 2019 for a total post-petition default of \$7,696.15 (4 @ \$1,539.28, 1 @ \$1,539.03); and

It is **ORDERED, ADJUDGED and DECREED** that the debtor will make a lump sum payment of \$3,078.56 by May 31, 2019; and

It is **ORDERED, ADJUDGED and DECREED** that the debtor will payments of \$1,539.28 by June 15, 2019, \$1,539.28 by July 15, 2019 and \$1,539.03 by August 15, 2019; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume June 1, 2019, directly to Secured Creditor's servicer, SLS, PO Box 636007, Littleton, Colorado 80163 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan and motion for relief is hereby resolved.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
 Nicholas A Mitchell
 Debtor

Case No. 18-35098-JKS
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Jun 18, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 20, 2019.

db +Nicholas A Mitchell, 268 Kipp Street, Hackensack, NJ 07601-8002

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 20, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 18, 2019 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor MTGLQ INVESTORS, L.P. dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

Joseph Andrew Kutschman, III on behalf of Creditor Pleasantview Condominium Association, Inc. jkutschman@cutolobarros.com

Kevin Gordon McDonald on behalf of Creditor MTGLQ INVESTORS, L.P. kmcdonald@kmllawgroup.com, bkgroup@kmllawgroup.com

Marie-Ann Greenberg magecf@magrtrustee.com

Robert P. Saltzman on behalf of Creditor Seterus, Inc., authorized subservicer for Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America dnj@pbslaw.org

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

Vincent Commisa on behalf of Debtor Nicholas A Mitchell vcommisa@vdclaw.com

TOTAL: 7